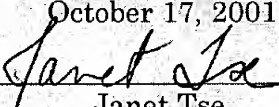




Patent Docket P0378P3C6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of<br><br>O'Brien et al.<br><br>Serial No.: 09/924,857<br><br>Filed: 8 August 2001<br><br>For: METHOD AND THERAPEUTIC<br>COMPOSITIONS FOR THE<br>TREATMENT OF MYOCARDIAL<br>INFARCTION | Group Art Unit: 1644<br><br>Examiner: To be assigned<br><br><b>CERTIFICATE OF MAILING</b><br>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on<br><br>October 17, 2001<br><br>Janet Tse |
|--|--|

**PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. §1.48(b)**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

This petition to correct inventorship is being made pursuant to 37 CFR §1.48(b).

Deletion of the following originally named inventors: Josiah N. Wilcox is hereby requested.  
The above named inventors' invention is no longer being claimed in the application as amended.

Upon acceptance of this Petition to correct inventorship, the correct inventors of the amended application are: Donogh P. O'Brien and Gordon A. Vehar.

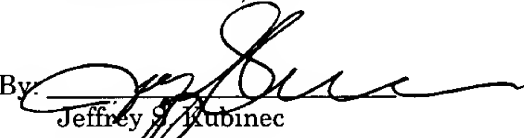
The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$130.00 to cover the fees for this Petition required as set forth in 37 CFR 1.17(i), and to charge the deposit account for any further fees in regard to this patent application. A duplicate copy of this Petition is enclosed for this purpose.

01/11/2002 BSAYASI1 00000009 070630 09924857

01 FC:122 130.00 CH

Date: October 17, 2001

Respectfully submitted,  
GENENTECH, INC.

By   
Jeffrey S. Rubinec  
Reg. No. 36,575  
Telephone No. (650) 225-8228



09157

PATENT TRADEMARK OFFICE



## UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPLICATION NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|--------------------|-------------|-----------------------|------------------|
| 09924857           | 08/08/01    | O'BRIEN et al.        | P0378P3C6        |

GENENTECH, INC.  
 1 DNA WAY  
 SOUTH SAN FRANCISCO, CA 94080

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Date Mailed: 01/15/02

## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

## Publication and General Rules Issues

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The articles such as "a", "an", and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- ☐ The words "new", "improved", "improvement of", "improvement in", or "improvement relating to" are not included as the first words in the title of an application because a patent application is, by nature, a new idea or improvement. See MPEP 606.
- ☐ The title appears on the filing receipt in sentence case for publication in the Annual Index of Patents.
- ☐ Amendments are not accepted in provisional applications. See 37 CFR 1.53(c).
- ☒ An amendment or Application Data Sheet is needed to make this change.
- ☐ The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. See MPEP 605.02.
- ☐ Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an amendment or Application Data Sheet.

- ☐ Small entity status was previously claimed in this application. To notify the Office of a loss of entitlement to small entity status, see 37 CFR 1.27(g). To have a good faith error in claiming small entity status excused, see 37 CFR 1.28(c).
- ☐ The request for non-publication was not timely filed. A request for non-publication must be submitted upon filing of an application. The application is scheduled to be published on the date specified on the filing receipt.
- ☐ The request for non-publication has not been recognized because it is not conspicuous as required by 37 CFR 1.213.
- ☐ There was no prior request for non-publication in this application. The request to rescind the non-publication request will not be processed.
- ☐ Your request for non-publication will not be acknowledged because this application is not eligible for publication. Only utility and plant applications filed on or after November 29, 2000 are eligible for publication.
- ☐ The "Non-Publication Request" indicator is correct. If there was a proper request submitted at the time of filing, the notation on the filing receipt will be "Yes". If no such request was made, the notation will be "No".

  
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